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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11

12 Lynn Macy,

13 Plaintiff,

14 v.

15 Cedarpines Park Mutual Water
Company; and all persons unknown
16 Claiming Any Legal or Equitable Right,
Title, Estate, Lien or Interest in the
17 Property Described in the Complaint
Adverse to Plaintiff's Title, or any
18 Cloud on Plaintiff Title Thereto and
DOES 1 through 10 inclusive,
19 ,

20 Defendant.
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Case No. 5:24-cv-00668-AB-SHKx

DEFENDANT'S REPLY TO
OPPOSITION TO MOTION TO
QUASH SERVICE OF SUMMONS

Dept: Courtroom 7B
Judge: Hon. Andre Birotti, Jr.

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1 **I. INTRODUCTION**

2 By way of her opposition to Defendant’s motion to quash, Plaintiff has offered
3 no admissible evidence which either (1) supports that the summons and complaint in
4 this matter were properly served, or (2) contradicts the evidence offered by Defendant
5 in support of its motion. Defendant does not dispute that it—and its counsel—are
6 aware of the summons and complaint in this matter. And, as noted in Plaintiff’s
7 opposition, defense counsel did offer to accept service of the summons and complaint
8 once the summons was corrected to state the correct court, and asked only that
9 Plaintiff email both with a Notice and Acknowledgement of Receipt to defense
10 counsel. (See Exhibit “A” to Declaration of Christopher Moffitt in support of Motion
11 to Quash [Dkt. 16-1], at p. 2.) No such correction or email took place.

12 **II. CONCLUSION**

13 For the reasons set forth in Defendant’s motion, Defendant respectfully
14 requests this Court quash service of the Summons and Complaint as against the
15 Defendant and dismiss this matter for lack of jurisdiction. Alternatively, should this
16 Court order the summons corrected to reflect the Central District of California and
17 not the Eastern District of California, and order it served on Defendant as of the date
18 of the Court’s order on this motion, Defendant will abide such an order and will
19 prepare its responsive pleadings.

20 Dated: August 1, 2024

BEST BEST & KRIEGER LLP

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22 By: /s/ Christopher M. Moffitt

23 CHRISTOPHER M. MOFFITT
24 CHRISTINA ABBATE

25 Attorneys for Defendant
26 Cedarpines Park Mutual Water
27 Company
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L.R. 11-6.2 Certificate of Compliance

The undersigned, counsel of record for Cedarpines Park Mutual Water Company, certifies that this brief contains 422 words, which complies with the word limit of L.R. 11-6.1.

Dated: August 1, 2024

BEST BEST & KRIEGER LLP

By: /s/ Christopher M. Moffitt

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